

CLERK'S OFFICE U.S. DIST. COURT
AT DANVILLE, VA
FILED
February 03, 2025
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**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION**

UNITED STATES OF AMERICA

v.

DARYL WENDELL BARLEY,

Defendant.

Case No. 4:10CR00010

OPINION AND ORDER

JUDGE JAMES P. JONES

Ronald M. Huber, Assistant United States Attorney, Charlottesville, Virginia, for United States; Beatrice F. Diehl, Assistant Federal Public Defender, Roanoke, Virginia, for Movant.

Defendant Daryl Wendell Barley has filed a motion for compassionate release pursuant to 18 U.S.C. § 3582(c)(1)(A). On February 4, 2011, Barley was sentenced by the late United States District Judge Jackson L. Kiser for distribution of more than fifty grams of cocaine base, in violation of 21 U.S.C. § 841(a)(1), and possession with intent to distribute cocaine powder, in violation of 21 U.S.C. § 841(a)(1). Barley was sentenced to 292 months of imprisonment on each count, to run concurrently. J., ECF No. 54. On April 21, 2015, Barley's sentence was reduced to 240 months of imprisonment, Order Amend. 782, ECF No. 111, and on May 18, 2020, it was reduced to 230 months of imprisonment. Order First Step Act, ECF No. 122. Barley contends that due to a change in the sentencing guidelines and the steps he has taken toward rehabilitation, his sentence should be reduced to 188

months or fewer. He asserts that he received a longer sentence than a similarly situated defendant would receive now.

On January 17, 2025, President Biden commuted the defendant's sentence of imprisonment to expire on April 17, 2025. ECF No. 160. Even if there were sufficient grounds for compassionate release, based on this commutation, further reduction of the defendant's sentence would not be appropriate.

It is accordingly **ORDERED** that the defendant's motion, ECF No. 153, and supplemental motion, ECF No. 158, are DENIED.

ENTER: February 3, 2025

/s/ JAMES P. JONES
Senior United States District Judge